

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:23-mj-2188 JSD
)	
JASON WILLIAM WALLIS)	
)	
Defendants.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Anthony L. Franks, Assistant United States Attorney for said District, and moves the Court to order Defendant JASON WILLIAM WALLIS (“WALLIS”) detained pending trial, and further requests that a detention hearing be held three (3) days from the date of WALLIS’s initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Title 18, United States Code, Section 3142(g) provides factors that the Court must consider in determining whether to order Defendant detained pending trial. These factors include: (a) the nature and circumstances of the offense charged; (b) the weight of the evidence against Defendant; (c) Defendant’s criminal history and characteristics; and (d) the danger that would be posed by Defendant’s release to any particular individual or the community as a whole.

2. Defendant is charged with multiple offenses including Count One: Obstruction of Law Enforcement During Civil Disorder, in violation of Title 18, United States Code, Section 231(a)(3); Count Two: Assault Law Enforcement Officer with a Deadly or Dangerous Weapon,

Attempt, in violation of Title 18, United States Code, Sections 111(a)(1) and (b), and Title 18, United States Code, Section 2; Count Three: Enter or Remain in any Restricted Building or Grounds Without Lawful Authority, in violation of Title 18, United States Code, Section 1752(a)(1); Count Four: Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(2); Count Five: Engaging in Physical Violence in a Restricted Building or Grounds, in violation of Title 18, United States Code, Section 1752(a)(4); Count Six: 40 U.S.C. § 5104(e)(2)(D) – Disorderly Conduct on Capitol Grounds or in an of the Capitol Buildings, in violation of Title 40, United States Code, Section 5104(e)(2)(D); Count Seven: Engaging in Physical Violence in the Capitol Grounds or any of the Capitol Buildings, in violation of Title 40, United States Code, Section 5104(e)(2)(F); and Count Eight: Parade, Demonstrate, or Picket in any of the Capitol Buildings, in violation of Title 40, United States Code, Section 5104(e)(2)(G). These charges stem from Defendant’s conduct on January 6, 2021, in the District of Columbia. WALLIS’s co-defendant, JARED LUTHER OWENS (“OWENS”), is also charged with the same offenses.

3. On January 6, 2021, WALLIS and OWENS entered the restricted area from the west and joined other rioters on the Northwest side of the U.S. Capitol. At this area, U.S. Capitol Police officers in riot gear clashed with rioters on the lawn on the Northwest side of the U.S. Capitol. Some of the officers attempted to detain a rioter on the ground. Rioters shouted at the officers to let the rioter go, and the rioters pushed towards the officers. The officers fell back from the rioters and walked on the lawn towards the east, along the north side of the Capitol. WALLIS and OWENS approached the officers and followed them to the east. While walking, WALLIS and OWENS screamed at U.S. Capitol Police officers who were walking towards a concrete plaza on the Northeast side of the Capitol.

4. The officers reached the concrete plaza at the Northeast corner of the Capitol. WALLIS and OWENS were directly behind some of the officers as they entered the concrete plaza and walked up a flight of stone stairs. WALLIS and OWENS yelled and screamed at the officers, making statements such as “coming up the stairs with you there or not”.

5. The officers moved bike racks to form a barricade that would prevent rioters from getting closer to the Capitol. This barricade was formed at the top of a set of concrete stairs on the Northeast corner of the Capitol. WALLIS and OWENS were directly at the bike rack barricade. An officer used a baton to try to keep the rioters from grabbing and shoving the barricades. WALLIS grabbed one end of a bike rack and lifted it off the ground. OWENS then grabbed onto the barricade, and with WALLIS, shoved the barricade into the line of officers. The line of officers raised their arms and hands in defense to keep the barricade from striking them in their heads and torsos, but the officers’ hands took the blow as the barricade came to a stop and rested on top of another barricade in front of the officers. The officers pushed the barricade back and off of the barricade that was on the ground already so it sat level with the other barricades on the ground. WALLIS and OWENS then walked further east past the end of the bike rack barricade, and they entered the East Plaza.

6. U.S. Capitol Police Officer K.B. was at the bike rack barricades on the Northeast corner of the U.S. Capitol at the top of the concrete stairs. This is the same location where WALLIS and OWENS lifted and shoved the barricade into the officers. Officer K.B. stated she was initially detailed to the West front of the U.S. Capitol, and she was in full riot gear. Officer K.B. and her squad had to fall back to the East front near the Senate Carriage Door. The officers were completely surrounded by the crowd. They walked to the top of the stairs and were able to stand in a line behind barricades that were positioned at the top of the stairs. Officer K.B. said that she

and other officers were hit with barricades that the rioters shoved and threw into the officers. Officer K.B. was hit with a barricade and sustained a fracture to her right hand/wrist and was placed in a hard cast for seven weeks. Officer K.B. remembered seeing a tall white male as the individual who threw the bike rack. Officer K.B. also gave a previous interview to an FBI Washington Field Office agent on January 10, 2021, regarding the rioter who picked up the barricade, and she described the individual as a white male, 6'04" in height and weighing approximately 250 pounds. WALLIS's driver's license information from 2021 states that he is a white male, height of 6'04" and weight of 230 pounds. Officer K.B. also told the Washington Field Office agent that she and the other officers were sprayed with chemical irritants while they continued to hold the line and perform their duties.

7. After the contact with officers at the Northeast corner of the U.S. Capitol, WALLIS and OWENS were on the East front of the U.S. Capitol. They attempted to enter the U.S. Capitol through the Senate Carriage Door on the East side of the U.S. Capitol Building, but officers blocked the entrance. WALLIS and OWENS returned to the West side of the Capitol. They entered the U.S. Capitol at approximately 2:46 p.m. through the Senate Fire Door. At approximately 3:07 p.m., WALLIS exited the U.S. Capitol through a door on the North side of the Capitol.

8. WALLIS does not have criminal convictions. He has been contacted by law enforcement in regards to possible assault charges in 2002, 2005, and 2007. No charges were filed in these contacts.

9. On May 3, 2004, there was a warrant issued for WALLIS for failure to appear summons for a traffic case involving expired plates in St. Louis County. On June 15, 2004,

WALLIS also had a warrant issued for Failure to Appear ordinance for Operating a Vehicle Without Proper Vehicle License, also in St. Louis County.

10. On September 1, 2023, WALLIS was contacted by law enforcement at 206 Lakewood Ridge Drive, St. Clair, Missouri. Officers received call of a domestic disturbing the peace. The officers interviewed WALLIS, the reporting party, who advised he and his girlfriend got into an argument, and his girlfriend attempted to strike him. The girlfriend was no longer at the scene, but allegedly had scratches on her legs and was covered in dirt. No charges were filed.

11. On August 28, 2021, a Jefferson County Sheriff's deputy responded to a call from R.G. regarding a disturbance at a residence located on Reynolds Creek Road, Hillsboro, Missouri ("the Residence"). R.G. told the deputy that he is the landlord of the Residence, and WALLIS and his girlfriend are tenants at the Residence. R.G. reported that at 6:24 p.m. on that date, R.G. was at the Residence and was cleaning the front porch and doing repairs. While there, WALLIS exited the front door of the Residence and began screaming and cursing at R.G. He reported that WALLIS got in his face while yelling at him, and WALLIS shoved him multiple times with both hands-on R.G.'s chest. R.G. reported that WALLIS had been sending threatening text messages to R.G.'s son, stating he was going to "fuck us up." The deputy went to the Residence but was unable to locate WALLIS at that time. On September 2, 2021, the deputy returned to the Residence and made contact with WALLIS and his girlfriend. WALLIS denied ever being physical with R.G. and he did not push him. WALLIS advised that R.G. is a "prick" and has been at the Residence for approximately 5 days fixing stuff around the Residence, and R.G. moved some of WALLIS's belongings off the front porch to clean without WALLIS's permission. WALLIS reported that R.G. approached him, and WALLIS argued face to face with R.G. The girlfriend reported to the

deputy that WALLIS was never physical with R.G. during the altercation. No charges were filed regarding this incident.

12. As way of information for this motion, the Court should also be aware that while WALLIS was stationed in Hawaii with the U.S. Army, WALLIS was charged with multiple traffic offenses in 1996 – 1997. WALLIS left the U.S. Army on approximately September 2, 1997. Bench warrants were issued for WALLIS in 1997 on some of the traffic cases. WALLIS received a fine on some of these cases, and other cases were dismissed by the prosecution.

13. The facts and circumstances of this offense, along with Defendant's criminal history, demonstrate that there is no condition or combination of conditions that would assure either the public's safety or Defendant's appearance if he was released pending trial.

WHEREFORE, the Government requests that this Court order Defendant detained prior to trial, and further order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

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